

reserved sections, thereby leaving numerous regulated sources without a test method. For clarity, the applicable regulations (emission limiting standards) are identified below by both the rule numbers in effect when these revisions were submitted and when the entire regulations were reformed on August 11, 1981. FDER did not submit test methods for the following source categories:

Particulate emissions from citrus plants controlled by a scrubber and subject to the process weight table (submitted as 17-2.05(2) and reformed as 17-2.610(1)1.a.).

TRS emissions from recovery furnaces at kraft pulp mills (submitted as 17-2.05(6)D and reformed as 17-2.600(4)1.).

Sulfur dioxide emissions from fossil fuel steam sources (submitted as 17-2.05(6)E and reformed as 17-2.600 (5) and (6)).

Emissions from portland cement plants (submitted as 17-2.05(6)F and reformed as 17-2.600(7)).

Particulate and visible emissions from carbonaceous fuel burning equipment (submitted as 17-2.05(6)I and reformed as 17-2.600(10)).

Comments: The Region IV office of EPA has received several comments from the pulp and paper industry objecting to EPA's proposed use of EPA test methods for source categories without a specified FDER test procedure and suggesting that EPA utilize unspecified test methods which were used to set the FDER emission standards. FDER has asked EPA for time for the industry to stack test to determine the correct and fair test methods.

EPA Response: Section 110(a)(2)(C) of the Clean Air Act, 42 U.S.C. 7410(a)(2)(C) requires each SIP to contain "devices, methods, systems, and procedures necessary to (i) monitor, compile, and analyze data on ambient air quality * * *." Section 110(a)(2)(B) requires each SIP to include "emission limitations, schedules, and timetables for compliance * * * and such other measures as may be necessary to insure attainment and maintenance of [primary and secondary ambient air quality standards] * * *" 42 U.S.C. 7410(a)(2)(B). These statutory sections of the Clean Air Act provide ample authority for EPA to require test methods in state-submitted SIP revisions, or where none are adopted, to require by enforcement of EPA test methods. Without stated test methods for certain source categories, an SIP deficiency exists because there is no way EPA can determine source compliance with individual source

emission limitations. If EPA cannot determine by test methods the compliance status of a source with the individual emission limitations applicable to it, then the Agency cannot insure that such individual emission limits in the SIP will achieve and maintain ambient air quality standards. EPA cannot enforce unidentified test methods used by FDER to develop certain emission standards, unless FDER officially adopts the test methods and forwards them in an SIP revision to EPA for approval.

Finally, 40 CFR 52.12(c)(1) (1980) expressly provides that EPA test methods (found at 40 CFR Part 60) will be enforced by the EPA when an SIP does not specify a test procedure.

FDER can replace EPA test methods by submitting acceptable test methods to EPA for inclusion in the SIP. EPA will enforce the regulations listed above using EPA test methods identified in 40 CFR Part 60 until the State has adopted and submitted approvable test methods for these source categories.

Action. Based on the foregoing, EPA hereby approves all of the point source emission testing methods which the FDER has submitted to provide procedures for point source emission sampling. For all source categories for which FDER did not submit a test regulation, EPA will enforce the regulations listed above using EPA test methods identified in 40 CFR Part 60 until the State has adopted and submitted approvable test methods for these source categories.

This action is effective August 25, 1982.

Under Section 307(b)(1) of the Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by August 25, 1982. This action may not be challenged later in proceedings to enforce its requirements. (See sec. 307(b)(2).)

Under Executive Order 12291, today's action is not "Major". It has been submitted to the Office of Management and Budget (OMB) for review.

Incorporation by reference of the State Implementation Plan for the State of Florida was approved by the Director of the Federal Register on July 1, 1981.

List of Subjects in 40 CFR Part 52

Air pollution control, Intergovernmental relations, Ozone, Sulfur oxides, Nitrogen dioxide, Lead, Particulate matter, Carbon monoxide, Hydrocarbons.

(Sec. 110 of the Clean Air Act (42 U.S.C. 7410))

Dated: July 19, 1982.

Anne M. Gorsuch,
Administrator.

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Part 52 of Chapter I, Title 40, Code of Federal Regulations, is amended as follows:

Subpart K—Florida

1. Section 52.520 is amended by adding paragraph (c)(47) as follows:

§ 52.520 Identification of plan.

(c) The plan revisions listed below were submitted on the dates specified.

(47) Point source emission testing methods submitted on December 30, 1980, and May 29, 1981, by the Florida Department of Environmental Regulation.

2. A new § 52.533 is added as follows:

§ 52.533 Source surveillance.

The plan lacks test methods for several source categories. As required by § 52.12(c)(1) of this part, EPA test methods (found at 40 CFR Part 60) will be used by EPA to determine compliance with the following emission limiting standards:

(a) Particulate emissions from citrus plants controlled by a scrubber and subject to the process weight table (submitted as 17-2.05(2) and reformed as 17-2.610(1)1.a.).

(b) TRS emissions from recovery furnaces at kraft pulp mills (submitted as 17-2.05(6)D and reformed as 17-2.600(4)1.).

(c) Sulfur dioxide emissions from fossil fuel steam sources (submitted as 17-2.05(6)E and reformed as 17-2.600 (5) and (6)).

(d) Emissions from portland cement plants (submitted as 17-2.05(6)F and reformed as 17-2.600(7)).

(e) Particulate and visible emissions from carbonaceous fuel burning equipment (submitted as 17-2.05(6)I and reformed as 17-2.600(10)).

[FR Doc. 82-20090 Filed 7-23-82; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 52

[A-5-FRL-2167-2]

Approval and Promulgation of Implementation Plans; Michigan

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rulemaking.

SUMMARY: The EPA announces final approval of a revision to the Michigan State Implementation Plan (SIP) for ozone. The revision pertains to the State's strategy to control volatile organic compound (VOC) emissions from stationary industrial sources of VOC emissions addressed in EPA's Group II Control Technique Guidelines (CTGs). EPA's action is based upon a revision request which was submitted by the State to satisfy the requirements of Part D of the Clean Air Act (Act).

EFFECTIVE DATE: This final rulemaking becomes effective on August 25, 1982.

ADDRESSES: Copies of the SIP revision and other materials relating to this rulemaking are available for inspection at the following addresses:

Environmental Protection Agency,
Public Information Reference Unit, 401
M Street, SW., Washington, D.C.
20460

Environmental Protection Agency, Air
Programs Branch, Region V, 230 South
Dearborn Street, Chicago, Illinois
60604

The Office of the Federal Register, 1100
L Street NW., Room 8401,
Washington, D.C. 20005.

FOR FURTHER INFORMATION CONTACT:
Sharon Reinders, (312) 886-6034.

SUPPLEMENTARY INFORMATION:

Background

On March 3, 1978 (43 FR 8962), and on October 5, 1978 (43 FR 45993), pursuant to the requirements of Section 107 of the Act, the EPA designated certain areas in Michigan as not attaining the National Ambient Air Quality Standard (NAAQS) for ozone. Part D of the Act requires each State to revise its SIP for areas that have not attained the NAAQS. These SIP revisions must demonstrate attainment of the primary NAAQS by December 31, 1982, or in certain cases, by December 31, 1987. The requirements for an approvable SIP are described in a "General Preamble" for Part D rulemaking published on April 4, 1979 (44 FR 20372) as supplemented at 44 FR 38583 (July 2, 1979), 44 FR 50371 (August 28, 1979), 44 FR 53761 (September 17, 1979) and 44 FR 67182 (November 23, 1979).

In response to the requirements of Part D of the Act, the State of Michigan amended the Michigan Administrative Code to require control of VOC emissions from stationary industrial sources addressed in EPA's Group II CTGs issued between January 1978 and January 1979. The State submitted the amendments to the EPA as a SIP revision on September 2, 1981. The regulations and definitions are codified as follows:

• R336.1101-3,
R336.1105-9,
R336.1114-16,
R336.1118-21 and
R336.1123

• R336.1601

• R336.1603
• R336.1604

• R336.1610
• R336.1619

• R336.1620

• R336.1621

• R336.1622

• R336.1623

• R336.1624
• R336.1625

• R336.1626

• R336.1627

• R336.2005

Definitions

Definition of Existing
Source
Compliance Program
Storage of Organic
Compounds
Existing Coating Lines
Perchloroethylene Dry
Cleaning
Flat Wood Paneling
Coating
Metallic Surfaces
Coating
Petroleum Refinery;
Refinery Monitoring
Program
Petroleum Liquid
Storage
Graphic Arts Lines
Synthesized
Pharmaceutical
Products
Pneumatic Rubber Tire
Manufacturing
Delivery Vessels and
Vapor Collection
Systems
Other Reference Test
Methods

On April 13, 1982 (47 FR 15810), EPA proposed to approve the SIP revision with the understanding that the State change section 2(a) of Rule 336.1624 regulating Graphic Arts Lines. The reader is referred to the notice of proposed rulemaking for further details. In a letter dated January 5, 1982, the State of Michigan committed to change the rule to substantially shorten the averaging time contained in section 2(a). EPA received no public comments on the proposed rulemaking; therefore, EPA finally approves the revision to Michigan's SIP as outlined in 47 FR 15810 with the understanding that the State change R336.1624 section 2(a), as committed.

The Office of Management and Budget has exempted this rule from the requirements of Section 3 of Executive Order 12291.

Under Section 307(b)(1) of the Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by September 24, 1982. This action may not be challenged later in proceedings to enforce its requirements. (See sec. 307(b)(2).)

Note.—Incorporation by reference of the State Implementation Plan for the State of Michigan was approved by the Director of the Federal Register on July 1, 1982.

List of Subjects in 40 CFR Part 52

Air pollution control, Ozone, Sulfur oxides, Nitrogen dioxide, Lead, Particulate matter, Carbon monoxide, Hydrocarbons.

(Secs. 110, 172 and 301(a) of the Clean Air Act)

Dated: July 19, 1982.

Anne M. Gorsuch,
Administrator.

**PART 52—APPROVAL AND
PROMULGATION OF STATE
IMPLEMENTATION PLANS**

Subpart X—Michigan

1. Section 52.1170 is amended by adding paragraph (c)(56) as follows:

§ 52.1170 Identification of plan.

* * *

(c) * * *
(56) On September 2, 1981, the State of Michigan submitted a revision to the ozone plan consisting of RACT requirements for the control of volatile organic compound emissions from stationary industrial sources (Group II) referenced in Rules R336.1101-3, 5-9, 14-16, 18-21, 23; R336.1601, 3-4, 10, 19-27; and R336.2005.

(FR Doc. 82-20131 Filed 7-23-82; 8:45 am)

BILLING CODE 6560-50-M

40 CFR Part 52

[A-5-FRL 2170-4]

**Approval and Promulgation of
Implementation Plans; Minnesota**

AGENCY: Environmental Protection Agency.

ACTION: Final rulemaking.

SUMMARY: In a May 6, 1982, Federal Register notice (47 FR 19556) EPA proposed to approve the deadline by which the State of Minnesota committed itself to remedy the conditionally approved item in the total suspended particulate (TSP) portion of its State Implementation Plan (SIP). No public comments were submitted during the thirty-day comment period. Therefore, EPA takes final action today to approve the deadline.

EFFECTIVE DATE: This final rulemaking becomes effective August 25, 1982.

ADDRESSES: Copies of the SIP revision are available for inspection at the following addresses:

Environmental Protection Agency,
Region V, Air Programs Branch, 230
South Dearborn Street, Chicago,
Illinois 60604

Environmental Protection Agency,
Public Information Reference Unit, 401
M Street, SW., Washington, D.C.
24060

Minnesota Pollution Control Agency,
1935 West County Road B-2,
Roseville, Minnesota 55113

FOR FURTHER INFORMATION CONTACT:
Delores Sieja, Regulatory Analysis